

AMENDED Nº 40346
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JAN 18 1980
Returned to applicant for correction MAY 22 1980
Corrected application filed MAY 28 1980
Map filed JAN 15 1980 Under 40312

The applicant United States of America - Forest Service
111 N. Virginia St., Room 601, of Reno,
Street and No. or P.O. Box No. City or Town
Nevada 89501, hereby make^s application for permission to appropriate the public
State and Zip Code No.
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-
tion; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Deer Creek
Name of stream, lake or other source.

2. The amount of water applied for is .015 second-foot
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet acre-feet

3. The water to be used for wildlife
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)

(b) Stockwater (state number and kinds of animals to be watered)

(c) Other use (describe fully under "No. 12. Remarks") See #12.

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T.19S., R.57E.,
MDB&M bearing S 60° 30' W at 5,350 feet from the southwest corner of said Sec. 5.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

it should be stated.

6. Place of use The natural stream reach upstream through NE $\frac{1}{4}$, SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the
Describe by legal subdivision, if on unsurveyed land it should be so stated. SE $\frac{1}{4}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5; the NE $\frac{1}{4}$, NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Sec. 8; the NE $\frac{1}{4}$, NW $\frac{1}{4}$ and
the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Sec. 7, all in T.19S., R.57E., MDB&M; and ending at a point in
the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T.19S., R.57E., MDB&M bearing S 27° W at 5,060 feet from the
southwest corner of Sec. 5, T.19S., R.57E., MDB&M.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Not diverted. Use is in the natural channel.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 9. Estimated cost of works.....
- 10. Estimated time required to construct works.....
- 11. Estimated time required to complete the application to beneficial use.....
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Used by approximately 200 deer, 50 wild horses and burros, and other wildlife.

See map under Application 40312 to support this application re: Deer Creek.

United States of America - Forest Service
Applicant Frank J. Ferrarelli, Forest Supervisor

By s/F. J. Ferrarelli
111 N. Virginia Street, Room 601
Reno, Nevada 89501

Compared bc/aa.....br/bc.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 0.015 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.015 cubic feet per second, but not to exceed 0.661 million gallons annually.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before October 19, 1984

Proof of completion of work shall be filed before November 19, 1984

Application of water to beneficial use shall be made on or before October 19, 1986

Proof of the application of water to beneficial use shall be filed on or before November 19, 1986

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed.....
Completion of work filed NOV 19 1984
Proof of beneficial use filed DEC 18 1986
Cultural map filed.....
Certificate No. 12398 Issued JAN 17 1990

IN TESTIMONY WHEREOF, I PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 19th day of OCTOBER

A.B. 19 83

State Engineer